EXHIBIT 40

DECLARATION OF DOROTA A. GREJNER-BRZEZINSKA

I, Dorota A. Grejner-Brzezinska, declare as follows:

1. I am the Vice Chancellor for Research at the University of Wisconsin-Madison ("UW-Madison"), a position I have held since 2024. In this role, I have responsibility for overseeing the university's research enterprise with more than $1.7 billion in annual research expenditures. My office also includes administration of twenty cross-campus research and service centers. The mission of the Office of the Vice Chancellor for Research is to advance excellence in research and scholarship, to support our multidisciplinary research centers and institutes, and to provide campus-wide administrative infrastructure to support and advance the research enterprise. Prior to holding this position, I was the Vice President of the Office of Knowledge Enterprise, Associate Dean for Research in the College of Engineering, and a Professor of Civil, Environmental and Geodetic Engineering at The Ohio State University. At Ohio State, I also served as Senior Vice President for Corporate and Government Partnerships, focusing on growing research talent and helping launch new research institutes and centers. I have mentored sixteen doctoral students and secured nearly $39 million in research funding for my own research, which is centered on GPS, the Global Positioning System. My laboratory developed the first fully digital and directly geo-referenced Airborne Integrated Mapping System, combining high-resolution digital, aerial camera images with GPS and inertial technology. I have served on the President's Council of Advisors on Science and Technology (2019-2021) and was appointed to the National Science Board in 2023. I am also a fellow of the American Association for the Advancement of Science, the Institute of Navigation, and the Royal Institute of Navigation and member of the National Academy of Engineering. Additionally, I serve as principal investigator of the National Science Foundation's Engineering Research Visioning Alliance.

2. I have personal knowledge of the contents of this declaration, or have knowledge of the matters based on my review of information and records gathered by UW-Madison personnel, and could testify thereto.

3. As Wisconsin's flagship research university, UW-Madison receives substantial annual funding from the National Science Foundation ("NSF"). As of May 2, 2025, UW-Madison has 669 active NSF awards which total $574,347,507 in total allocated funding. Among these, 570 are direct awards to UW-Madison from NSF, with $489,959,342 in allocated funding, and 99 are incoming subawards with $84,388,165 in allocated funding.

4. UW-Madison intends to apply for new NSF funding awards, and/or renewals and continuations of existing funding awards, in the next year and in future years to come. Additionally, as of May 5, 2025, UW-Madison has applied for and is awaiting a final determination from NSF on $219,740,287 in grant proposals. Some examples of pending proposals are provided in paragraph 5(f), below.

5. The funding UW-Madison receives from NSF supports critical and cutting-edge science and engineering research vital to advancing national health, prosperity, and welfare, and advancing our nation's security. Millions of Americans benefit from and depend on this research. For example:

a. **Wisconsin Materials Research Science and Engineering Center**

The Wisconsin Materials Research Science and Engineering Center (MRSEC) at UW-Madison includes more than 30 affiliated faculty across nine university departments, as well as collaborators at other institutions and in industry. The Center has partnered with NSF for over 25 years to advance the science and engineering of materials. Most recently, its focus is on the study of glasses, liquids, and magnetic materials through a combination of new experiments and artificial

intelligence. The MRSEC develops science and creates new materials relevant to semiconductors, electronic devices, computer displays and photovoltaic cells, information storage, quantum information technology, and pharmaceutical preparations. The scientific instruments that MRSEC develops are commercialized for use both in academia and industry, and MRSEC has launched 13 startup companies in areas ranging from scientific instrumentation to medical diagnostic technologies. The Center also creates educational materials, conducts innovative programs that broaden participation in STEM fields, conducts outreach to industry to promote economic advancement, and offers professional development opportunities that train the next-generation workforce in the United States.

b. IceCube Neutrino Observatory

The IceCube Neutrino Observatory is a particle detector built deep inside the Antarctic ice sheet that extends east from the Transantarctic Mountains and covers the South Pole. Encompassing a cubic kilometer of ice located 1.5 kilometers below the surface, IceCube searches for subatomic particles, called neutrinos, reaching earth from the cosmos. These astronomical messengers provide information on the most cataclysmic events happening in the universe, like the explosion of stars, and are expected to unlock the secrets of the high-energy particle accelerators powered by recently discovered supermassive black holes. IceCube's detection of high-energy astrophysical neutrinos, first announced in 2013, dramatically impacted the fields of high-energy and multi-messenger astrophysics. This was further heightened in 2017 when IceCube reported the first evidence of energetic neutrinos pointing to a distant cosmic particle accelerator, and again in 2022 with its detection of cosmic neutrinos from the nearby galaxy, NGC 1068. Even more recently, in 2023, IceCube reported the observation of neutrinos from our own Milky Way galaxy.

Operating under a cooperative agreement with NSF, UW-Madison is responsible for maintenance and operations of the IceCube Neutrino Observatory and delivers scientific data from IceCube to an international collaboration of scientists, many of whom contributed to the funding and the construction of the instrument. The core operations and maintenance team work to develop, maintain, and implement necessary hardware and software to ensure the reliability and capability of the facility to capitalize on its science and discovery potential. These efforts build upon the experience gained from 18 highly successful years of safely and cost-effectively managing IceCube to continually improve its performance, which now exceeds its original design and operation goals and has expanded its science portfolio. The NSF also currently funds other IceCube-related projects at UW-Madison, including a grant to support a crucial infrastructure upgrade slated to be completed in 2026, as well as an important data analysis collaboration involving more than 400 scientists from 58 institutions in 14 countries. The project also supports workforce development by educating and training future leaders in STEM and engaging the public through education and outreach programs.

c. Partnership to Advance Throughput Computing (PATh)

The NSF-funded Partnership to Advance Throughput Computing (PATh) is aimed at increasing the national return on investment with respect to computing resources used to advance science, medicine and technology in the U.S. and seeks to provide broad, open access to researchers, students, government agencies, and industry. PATh's open-source software tools are also used by government agencies and commercial entities. PATh also serves close to 20 science collaborations, consisting of thousands of researchers. The techniques that PATh advances serve the national interest by supporting academic researchers and industry and maximizing broad and long-term societal impact in areas like human health, security and national competitiveness. This project leverages UW-Madison's strong history of supporting Distributed High Throughput

Computing (dHTC) technologies research, namely, through the university's Center for High Throughput Computing, which has supported efforts aimed at predicting fuel cell behavior at nuclear facilities and developing methods to measure brain connectivity during surgery, among many others.

d. North Temperate Lakes Long-Term Ecological Research (LTER)

The NSF's Long-Term Ecological Research Program (LTER) was established 45 years ago to address ecological questions that cannot be resolved with short-term observations or experiments and that can only be answered by collecting data over long periods of time. This includes addressing challenges visible to both researchers and the public, such as the collapse of valuable walleye fisheries in Wisconsin and sudden declines in lake water clarity. The overarching goal of UW-Madison's NSF-funded North Temperate Lakes (NTL) LTER program is to describe and understand the long-term dynamics of lakes and their surrounding landscapes. This is accomplished by maintaining a globally unique, 40+ year-old open-access database of physical, chemical, and biological measurements from 11 core study lakes; conducting research projects in Wisconsin lake districts where either agriculture or forest land covers dominate; integrating research findings into K-12, undergraduate, graduate, and continuing education; and providing science and scientific guidance on topics such as aquatic invasive species, inland fisheries, harmful algal blooms, and emergent aquatic contaminants to individuals, organizations, local, state, and federal agencies to help inform decision-making and promote the health and sustainability of surface water ecosystems.

e. NSF Center for Sustainable Nanotechnology

Researchers in the NSF Center for Sustainable Nanotechnology investigate how extremely small particles, known as "nanoparticles," interact with different life forms in the environment. Nanoparticles are being used in an increasing number of emerging technologies and are being

incorporated into a wide range of consumer products, but there is little understanding of what happens to nanomaterials when released into the environment. Center researchers are investigating how nanoparticles interact with animals and plants in order to identify how to maximize the overall safety associated with their more widespread use. Center researchers have also shown that some nanomaterials can serve as highly effective way to deliver micronutrients to plants used as food and that exposing soybean and other plants to certain nanoparticles improve the plant's ability to ward off fungal disease. This work has the potential to improve profitability and sustainability of agriculture, including by reducing unnecessary use of agricultural chemicals.

f. Pending proposals and future renewal and award submissions

In addition to the examples of ongoing NSF-funded work highlighted above, UW-Madison has a large volume of proposals currently pending with NSF and intends in the near future to apply for new or renewal awards across a broad range of disciplines. These include, for example:

- A pending proposal to use large language models and AI to reduce the costs associated with studies involving high-energy particle physics, which have implications for everything from the field of astrophysics to medical imaging.
- New and renewal proposals for the IceCube project, to increase its capabilities as a multipurpose detector facility by extending the observatory's size and energy range, and to ensure UW-Madison's critical role in providing data analysis capacity and maintenance and operation of the facility, and maintain its status as a national facility that enables a wide array of internationally collaborative scientific research in ground-based neutrino astrophysics.
- A planned proposal for a Materials Innovation Platform (MIP) award to enable design and synthesis of next-generation advanced materials for extreme environments, which

has important implications for national security (hypersonic flight and ballistic applications), resilient energy (fusion, fission, and other energy generation applications, and powering data centers), and human welfare (protective equipment and impact protection).

- A planned proposal for a Future Manufacturing award to biologically upgrade methane and stranded natural gas to higher value condensed phase products, such as oleochemicals (fatty acids used in personal care products, biodiesel, detergents, industrial lubricants, etc.) and animal feed.
- A pending proposal to develop a model and decision-making tool to predict performance and optimize industry-relevant fermentation processes.
- A likely renewal application for an award to use human pluripotent stem cells to develop tools that will restore proper heart functioning following cardiac arrest.
- A pending proposal to advance quantum technologies in the Midwest region by broadening participation in quantum industry, workforce training, and translation of research to industry. The proposal includes several academic institution partners as well as industry.
- A pending pre-proposal to further NSF's support of the Hybrid Quantum Architectures and Networks (HQAN) Center at UW-Madison. HQAN is a flagship effort in the U.S. in the worldwide race to develop quantum computing networks and its work is important for national competitiveness and development of a talent pipeline.
- A planned proposal to study and engineer the cellular machinery of the protein that plants use to capture carbon dioxide from the atmosphere and convert it into energy. The goal of this proposal is to create crops capable of up to a 25% increase in

photosynthesis, which would allow crops to grow faster or produce more edible parts (e.g., fruit instead of leaves), and therefore has broad applicability for agricultural productivity.

- A planned proposal for an NSF CAREER award to further enzyme research to develop, among other things, a method to help enable breakdown of chemical warfare agents. CAREER awards support early-career faculty who have the potential to serve as academic role models in research and education and to lead advances in the mission of their department or organization.
- A planned proposal to remodel and re-engineer the ribosome, the major protein-making machine of bacteria. The knowledge acquired by this project would enable efficient generation of large quantities of 100% water-soluble proteins to be employed in biotechnology (as biomaterials and/or biofuels) and in the pharmaceutical arena (as monoclonal antibodies and nanobodies).
- A planned proposal to investigate how UV light interacts with and affects nucleobases, nucleosides, and nucleotides, which are the fundamental building blocks of DNA and RNA. This work will help understand the origins of life and help inform potential mitigation strategies for various diseases, such as skin cancer.
- A proposal to further understand and develop better future projections of coastal El Niño events to minimize the significant destruction caused by these poorly understood weather events.
- A planned renewal proposal to further the Forest Origins, Resilience, and Trajectories in dynamic Environments (FORTE) initiative, which aims to address increasing threats from pest outbreaks and environmental stressors by integrating genomic, physiological,

and ecological research. This proposal will continue the highly collaborative and successful institute established 5 years ago.

- A new proposal aimed at constraining the loss of ice along the fronts of Antarctica's ice shelves, using a combination of computer simulations, satellite data, laboratory experiments, and field observations. Among other things, better understanding iceberg production, drift, and decay is key for safe operations of shipping and hydrocarbon exploration vessels in polar waters.
- A pending proposal to create a specialized curriculum and fund students performing research in the area of artificial vision. The proposed program will put a special emphasis on workforce development through new engagement channels with industry and technology users and funded student projects and internships, integrating with existing university entrepreneurship programs.

6. Reimbursement of UW-Madison's indirect costs is essential for supporting this research. NSF's cutting of indirect cost rates to 15% would seriously jeopardize UW-Madison's ability to carry out the kinds of research projects described in paragraph 5 in the future.

7. Indirect costs are expenses that support research and other sponsored activities but cannot be directly attributed to a specific funding award. These include costs for building maintenance, utilities, procurement of shared equipment, administrative services, information technology, libraries, and compliance with federal regulations. At UW-Madison, indirect costs help sustain the infrastructure and services necessary to conduct high-quality research across departments and disciplines. Indirect costs include maintaining state-of-the-art laboratories and other facilities required to meet the current technical requirements of advanced research, and procurement and maintenance of equipment necessary to conduct such research, such as specialized

testing environments, precision instrumentation, and laboratory safety systems. In some instances, these funds are allocated as new faculty start-up packages, which help the university recruit the best candidates in the field, and ensure they have the resources to support a productive career at UW-Madison from day one. In addition, indirect costs contribute to the more than 150 research cores across the UW-Madison campus that consolidate resources by offering shared instrumentation, technologies, services, training, and expert consultation in hundreds of subject areas. These include the Paul Bender Chemistry Instrumentation Center, that provides nuclear magnetic resonance spectrometry for learning about the structure of molecules; the Max Carbon Radiation Science Center, that offers a working one-megawatt non-power nuclear microreactor for teaching and research; and the Biotechnology Center, that provides rapid and cost-effective DNA and RNA sequencing, genome editing, and bioinformatics services to campus and beyond. UW-Madison consistently ranks among the nation's top research institutions, a distinction that simply would not be possible without the robust critical infrastructure necessary to conduct the research.

8. For example, with respect to the areas of NSF-funded research described in Paragraph 5:

a. MRSEC

The MRSEC is critically dependent on the shared instrument facilities in the Wisconsin Centers for Nanoscale Technology (WCNT). The research cores that make up WCNT provide instrumentation, facilities, and PhD-level staff for the entire materials research process: making new materials; examining their atomic structure and composition; testing how they respond to heat, force, magnetic fields, and other stimuli; and patterning them into electronic devices for testing. MRSEC provides very limited direct cost support to the WCNT (via hourly user fees) for WCNT's operations, including maintenance, scientific staff, and administration. Hourly user fees

from across campus support only 43% of WCNT's operating expenses and provide little to no funding for capital equipment. Therefore, indirect costs are used to help support the remaining operating expenses and equipment purchases. Additionally, WCNT's space and utility costs are supported with indirect costs and are in addition to the above-referenced operating expenses.

The loss of indirect funding support would mean that WCNT's support would instead need to come from other sources, likely direct research costs at an increase of a factor of approximately 2.5. This would either reduce the funding available for scientific advancement or result in proposals for significantly higher direct costs. In addition to the Wisconsin MRSEC, WCNT supported seven other universities and 32 companies in the past year. A dramatic increase in user rates may be unsustainable, but shuttering this critical resource would have wide-ranging negative impact at UW-Madison, for universities around Wisconsin and the upper Midwest, and on companies both in southeast Wisconsin and across the country. Moreover, without WCNT, MRSEC research would grind to a halt within a week.

b. IceCube

The IceCube Neutrino Observatory is a very large project with unique and heavy needs for services that fall into the definition of indirect costs, including procurement for goods and services needed to maintain a highly technical computing system for data collection, storage and analysis, and award management activities that are costly for this collaborative international activity with reporting requirements that exceed typical research awards. Indirect costs are particularly vital to allow UW-Madison to continue this work.

c. PATh

The PATh project at UW-Madison relies on indirect cost support for data-center hosting and campus network services. In addition, PATh relies on indirect costs to allow them to make

long-term employment appointments that go beyond federal funding cycles. This improves the quality of the workforce that supports the project.

d. NTL-LTER

UW-Madison's NTL-LTER lake study project relies on numerous shared communal and laboratory resources that are supported through indirect costs. For example, indirect costs contribute to paying for water treatment required for chemical analyses of lake water, purchase of a new common-use microscope, boat maintenance, and internet service to the Trout Lake Station (a field station located in rural northern Wisconsin that is the administrative home of the NTL-LTER project). Paramount to researcher safety, indirect cost recovery also contributes to annual inspection and maintenance of SCUBA gear and the purchase of winter survival suits and AED defibrillator devices.

e. NSF Center for Sustainable Nanotechnology

The Center for Sustainable Nanotechnology relies on many shared resources—paid for by indirect costs—that are critical to its research. For example, characterization of nanoparticles often requires advanced instrumentation, such as Raman spectroscopy and electron microscopy methods, that would be impractical, if not impossible, for individual researchers to purchase and maintain, and an inefficient use of taxpayer money compared to using shared equipment. By having advanced instruments in centralized facilities with trained personnel, the equipment is more effectively maintained and students using the equipment are properly trained compared with having instruments in individual laboratories.

9. Physical facilities costs are one of the largest components of indirect costs. UW-Madison's campus includes over seventeen million gross square feet dedicated to research, education, administration, and general purposes. Many of its buildings are highly technical, and

more than half are over fifty years old. Funding from indirect cost recovery goes directly toward maintenance and renovations in these buildings, particularly for outfitting, updating, and maintaining specialized laboratory space where much of the federally sponsored research is conducted. These spaces often require specialized security and biosafety measures that must keep pace with evolving regulatory standards. Facility maintenance and renovation projects ensure campus laboratories are not only properly equipped to support sophisticated, cutting-edge research, but to protect the safety of university scientists, students, and the surrounding community and meet federal compliance obligations. State law prevents the use of other sources of unrestricted revenue for campus-funded renovation projects and donor support for infrastructure upgrades is challenging to secure. Therefore, indirect cost reimbursement plays a critical role in maintaining the adequacy of our facilities. Beyond renovations, indirect costs contribute to utilities, HVAC systems, high-speed data networks, secure data storage and cybersecurity measures, and shared administrative services that ensure operational continuity of the research enterprise. The loss of indirect cost funding imperils not just research space: because research and academic activities at the university share buildings, reduced maintenance resources will affect the entire university physical environment. Without this critical infrastructure, we simply cannot conduct the research.

10. In addition, indirect costs fund the administration of awards, including staff who ensure compliance with a vast number of regulatory mandates from agencies such as NSF. These mandates serve many important functions, including ensuring research integrity; protecting research subjects; properly managing and disposing of potentially hazardous chemical, radiological, and biological agents and other materials used in research; managing specialized procurement and security requirements for sensitive research; accounting; preventing technologies and other sensitive national security information from being inappropriately accessed by foreign adversaries;

providing the high level of cybersecurity, data storage, and computing environments mandated for regulated data; ensuring compliance with specialized security protocols and safety standards; maintaining facility accreditation and equipment calibration to meet research quality and security standards; and identifying and managing financial conflicts of interest.

11. Recovery of UW-Madison's indirect costs is based on predetermined rates that have been negotiated with the federal government in accordance with federal regulations.

12. UW-Madison has a Negotiated Indirect Cost Rate Agreement ("NICRA") with the U.S. Department of Health and Human Services serving as the cognizant agency, covering all federal agencies, and effective from January 17, 2025 through June 30, 2026. The indirect cost rate under UW-Madison's NICRA is 55.5% for on campus organized research, comprising 26% for administrative costs and 29.5% for facility costs. Administrative costs are the general costs to administer research, such as accounting, payroll, and research oversight, and are capped by federal regulations at 26%. Facility costs include the maintenance and depreciation of the university's research facilities. When UW-Madison last prepared its indirect cost rate proposal for submission to the U.S. Department of Health and Human Services, it showed that its actual administrative cost rate is 30.3% and its actual facilities cost rate is 33.7%, bringing its total indirect cost rate to 64%. This is the full, uncapped rate calculated at the time of the last rate proposal and it reflects the true cost of doing research at UW-Madison. The rate was then negotiated down to its current rate of 55.5% following the federally prescribed negotiation process.

13. The effects of a reduction in the indirect cost rate to 15% would be devastating. Of the $ 134,864,816 in NSF funding that UW-Madison received in fiscal year 2024, approximately $100,132,030 consisted of payment of direct costs, of that amount, $64,015,793 of those direct costs qualified for indirect cost recovery, and $34,732,786 consisted of reimbursement of indirect costs.

Expenses from fiscal years 2021 to 2024 show that the annual compound growth rate of UW-Madison's annual indirect costs recovery from NSF is 11% per year. Based on the predetermined indirect cost rate of 55.5% for organized research, which was agreed upon by the federal government as of January 17, 2025, and applying the same annual compound growth rate, UW-Madison reasonably expects to receive approximately $38.5 million in fiscal year 2025, $42.8 million in fiscal year 2026, $47.5 million in fiscal year 2027, and $52.7 million in fiscal year 2028 in indirect cost recovery from NSF.

14. If—contrary to what UW-Madison has negotiated with the federal government—the indirect cost rate was reduced to 15% for new awards, that would reduce UW-Madison's anticipated annual indirect cost recovery significantly. Using fiscal year 2024 as an example, UW-Madison received reimbursement of $34,732,786 from NSF in indirect costs. If UW-Madison had been subject to a rate of no greater than 15% of its modified total direct costs in fiscal year 2024, it would have only received reimbursement of $9,602,369 from NSF in indirect costs, equating to an annual loss of $25,130,417 in indirect cost recovery from NSF. Applying the 15% rate to all anticipated modified direct costs over the next few years, UW-Madison's anticipated annual indirect cost recovery would be reduced by $30.9 million in fiscal year 2026, by $34.3 million in fiscal year 2027, and $38.1 million in fiscal year 2028 (though the foregoing illustration does not extract out existing awards that would not be subject to NSF's 15% indirect cost rate cap).

15. UW-Madison has for decades relied on the payment of indirect costs. And until now, the well-established process for negotiating indirect cost rates with the government has provided stability and predictability to help inform our budgeting and planning. Operating budgets depend on an estimate of both direct and indirect sponsored funding to plan for annual staffing needs (*e.g.*, postdoctoral trainees, PhD students, and research staff), infrastructure support (*e.g.*, IT networks,

regulatory compliance, and grant management support), and facility and equipment purchases. The rigorous nature of research requires long-term financial obligations; indirect cost recovery associated with budgeted grant funding is necessary to fulfill these commitments to ensure the investments result in effective and valuable outcomes. This multi-year budgeting process also assumes the availability or possibility of grant renewals at roughly similar terms—and certainly at the negotiated indirect cost rate—as had been previously available.

16. Dramatically cutting indirect cost reimbursement would have pervasive effects that are both cumulative and cascading. A reduction from the current indirect cost funding level will create a deficit in UW-Madison's central budget, as well as the individual budgets of many of its schools, colleges, and divisions, necessitating a scaling back of commitments, or reductions elsewhere. For example:

a. Central Campus Operations

The majority of indirect cost reimbursements are managed centrally on campus for general operations, staff salaries (for example, custodial and Environmental Health & Safety staff), and capital upgrades and laboratory renovations that support the research enterprise. A significant reduction in indirect cost recovery could result in a range of possible consequences, including across-the-board budget cuts, targeted staffing reductions or furloughs, or reduced investment in facilities, despite an already significant deferred maintenance backlog. Given the importance of specialized personnel to ensure safety and regulatory compliance with respect to, for example, research animal care and use and the storage and handling of chemical, radiological, and biological materials, a loss of personnel in these areas would necessitate a reduction in the impacted areas of the research enterprise. If the work cannot be conducted in a manner that guarantees safety, it cannot be carried out at all.

In addition, university research core facilities depend on staff with highly technical expertise to make their services available across campus; a cut in indirect costs could necessitate narrowing the scope of their offerings, which would either force UW-Madison researchers to find these specialized tools and services elsewhere or forego them altogether.

b. Start Up Packages

Several schools and colleges use funding from UW-Madison's indirect cost recovery to offer start-up packages to new faculty for capital equipment and the initial research staff necessary to apply for grant-funded research. Indirect costs are also used to fund needed laboratory remodeling for new faculty. If indirect cost recovery declines, schools and colleges will be unable to afford offering competitive start-up packages and funding needed lab renovations—which can reach into the millions of dollars per faculty member—impeding the university's ability to attract and hire new faculty, especially in fields like chemistry, physics, biology, psychology, computer science, and engineering. This would have compounding downstream impacts like lowering UW-Madison's ability to apply for new grants and to do research in areas where faculty would need start up packages, such as quantum computing, semiconductors, fusion energy and plasma sciences, small molecule chemistry that forms the basis of new drug discovery, and neurobiology. This would also significantly hinder UW-Madison's ability to train the next generation of researchers and educate students.

c. Upgrades to Facilities

Any loss of indirect cost reimbursement would slow the progress of upgrades to keep research labs at the cutting edge of their field, causing the university to fall short of its full potential. For example, at present, the College of Engineering has a multi-year plan to upgrade its research computing infrastructure to protect against ever-evolving cyberthreats. The national interest in

ensuring robustly secure computing environments is reflected by the adoption of requirements in this area by many funding agencies. Similarly, the College of Letters & Sciences was in the initial stages of planning a building remodel to accommodate an expansion of its Quantum Science group, following federal government guidance on the importance of quantum technologies. These upgrades depend on funding the college receives from indirect cost reimbursement and are critical to ensure continued security of sensitive data and information and protection of U.S. investments in research.

17. Disruptions to UW-Madison's research caused by a reduction in UW-Madison's negotiated indirect cost rate will also have negative effects in the Madison area, the state of Wisconsin, and the broader region. UW-Madison's research fuels spending in the regional economy, including by driving discoveries that launch new ventures, attract private investment, and make a positive social impact. For example, as reported in a 2021 study conducted by Northstar Analytics, LLC, UW–Madison affiliated organizations and startups collectively contribute $30.8 billion per year to the Wisconsin economy; this economic activity supports more than 232,000 jobs and generates $1 billion in state and local taxes. A massive reduction in UW-Madison's research budget would immediately and seriously jeopardize these contributions to the local region.

18. Finally, slowdowns or halts in research by UW-Madison and other American universities will allow competitor nations that are maintaining their investments in research to surpass the United States on this front, threatening both our Nation's national security and its economic dominance. If NSF reduces its investment in supporting research infrastructure, particularly as the costs of conducting specialized research continue to increase, the number of personnel with expertise in sophisticated fields that the university can train and employ will

necessarily decrease. Extrapolated across U.S. institutions, this workforce reduction has long-term implications for national industries to secure the talent they need for the future, impacting economic growth and national security. While the losses will be rapid, recovery operations will take decades, and in the meantime the U.S. will fall behind other nations in developing advanced technologies. Additionally, NSF has a vested interest in ensuring that the UW-Madison IceCube Neutrino Observatory remains fully operational. Antarctica is a unique asset for a wide range of science, from astrophysics to marine biology. Asserting a strong U.S. science presence on the continent is vital to our national security interests, including maintaining the stability of the Antarctic Treaty System, which has protected the region since 1961 from territorial claims and exploitation of its natural resources. NSF's Office of Polar Programs operates by far the largest logistical infrastructure on the continent, including IceCube, making science on the continent possible.

19. Nor can UW-Madison cover the funding gap itself. It is neither feasible nor sustainable for UW-Madison to use endowment funds or other revenue sources to offset shortfalls in indirect cost recovery, for several reasons:

a. The majority of endowment funds designated for support of UW-Madison—over 80%—is restricted to specific donor-designated purposes, such as scholarships, faculty chairs, and academic programs. UW-Madison is not legally permitted to use those funds to cover research infrastructure costs.

b. Even the small portion of endowment funds that are unrestricted is subject to a carefully managed annual payout, typically around 4.5%, to ensure long-term financial stability for the institution.

20. It is also not feasible or sustainable for UW-Madison to use other revenue sources to offset shortfalls in indirect cost recovery. As a non-profit institution, UW-Madison reinvests

nearly all of its revenue into mission-critical activities, leaving little margin to absorb unexpected funding gaps. In other words, unlike for-profit organizations, UW-Madison does not generate significant surpluses that could be redirected without impacting core academic priorities such as educational programs and financial aid support for students. Absorbing the cost of a lower indirect cost rate, even if it were possible, would create long-term budget pressures on UW-Madison—which would in turn force reductions in key investments supporting UW-Madison's faculty, students, staff, research, and teaching infrastructure, as well as other critical activities needed to maintain UW-Madison's academic excellence. So even if UW-Madison could "cover" *some* of the indirect costs previously funded by NSF, it could do so only by negatively affecting other critical goals central to the institution's mission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 5, 2025.

Dorota A. Grejner-Brzezinska